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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

SAN FRANCISCO BAYKEEPER, a non-profit
corporation,

Plaintiff,

v.

CSL OPERATING, LLC,

Defendant.

Civil No. 5:15-cv-05633-BLF

NOTICE OF SETTLEMENT AND
REQUEST TO VACATE CASE
MANAGEMENT CONFERENCE;
~~PROPOSED~~ ORDER

(Federal Water Pollution Control Act, 33
U.S.C. § 1251 *et seq.*)

Judge Beth Labson Freeman

1 TO THE COURT:

2 PLEASE TAKE NOTICE that Plaintiff San Francisco Baykeeper (“Baykeeper”) and Defendant
3 CSL Operating, LLC (“CSL”) (collectively, the “Parties”) have reached a tentative settlement in this
4 action, which was executed by the Parties. As required by 33 U.S.C. section 1365(c)(3) and 40 C.F.R.
5 section 135.5, a copy of the [Proposed] Consent Decree was sent to the U.S. Department of Justice and
6 U.S. Environmental Protection Agency via U.S. Certified Mail on February 23, 2016. Upon expiration
7 of the 45-day review period, the Parties will request that the Court (1) approve and execute the
8 [Proposed] Consent Decree, which provides continuing Court jurisdiction over any disputes which may
9 arise between the Parties under the agreement, and (2) approve and execute an Order dismissing the
10 Complaint with prejudice.

11 In light of the settlement and 45-day statutory period, the Parties respectfully request that the
12 Court vacate from its calendar the Case Management Conference scheduled for March 17, 2016 and all
13 other deadlines included in the Order Setting Initial Case Management Conference and ADR Deadlines,
14 filed on December 10, 2015.

15 WHEREFORE, Baykeeper respectfully requests that the Court approve and enter the [Proposed]
16 Order below.

17 DATE: February 23, 2016

Respectfully submitted,

SAN FRANCISCO BAYKEEPER

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20 /s/ Erica A. Maharg

21 _____
22 Erica A. Maharg
23 Attorneys for Plaintiff
24 SAN FRANCISCO BAYKEEPER
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~~PROPOSED~~ ORDER

IT IS HEREBY ORDERED that the Case Management Conference set for March 17, 2016 and all other deadlines included in the Order Setting Initial Case Management Conference and ADR Deadlines filed December 10, 2015 are vacated.

The Court DIRECTS the parties to file an update on the status of settlement by April 25, 2016.

DATE: February 23, 2016



Honorable Beth Labson Freeman

